



17169 U.S.PTO

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PTO/SB/05 (01-04)

Approved for use through 07/31/2006. OMB 0651-0032

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U.S.PTO
22178
041504
10/825038

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. P-022-US5

First Inventor Martin S. LINSELL

Title INTERMEDIATE FOR PREPARING GLYCOPEPTIDE DERIVATIVES

Express Mail Label No. EV 399287591 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 172]
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
- Oath or Declaration [Total Sheets 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
- DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Application Cover Sheet

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No: 10 / 092,088

Prior application information: Examiner David LUKTON Art Unit: 1653

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number		27038			OR <input type="checkbox"/> Correspondence address below	
Name	Joyce G. Cohen, Reg. No. 44,622					
Address	Theravance, Inc.					
	901 Gateway Boulevard					
City	South San Francisco	State	CA	Zip Code	94080	
Country	USA	Telephone	(650) 808-6000	Fax	(650) 808-6078	
Name (Print/Type)	Joyce G. Cohen		Registration No. (Attorney/Agent)	44,622		
Signature			Date	April 15, 2004		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

385

Complete if Known	
Application Number	Not yet assigned
Filing Date	On Even Date Herewith
First Named Inventor	Martin S. LINSELL
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	P-022-US5

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order
 Deposit Account:Deposit
Account
Number

50-0344

Deposit
Account
Name

Theravance, Inc.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1001	2001	385	Utility filing fee
1002	2002	170	Design filing fee
1003	2003	265	Plant filing fee
1004	2004	385	Reissue filing fee
1005	2005	80	Provisional filing fee

SUBTOTAL (1)

(\$ 385)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	8	-20 **	= 0	Extra Claims	Fee from below	Fee Paid
Independent Claims	2	-3 **	= 0	X 43	= 0	
Multiple Dependent				X 0	= 0	

Large Entity

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1202	2202	9	Claims in excess of 20
1201	2201	43	Independent claims in excess of 3
1203	2203	145	Multiple dependent claim, if not paid
1204	2204	43	** Reissue independent claims over original patent
1205	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1051	130	2051 65	Surcharge - late filing fee or oath
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130	Non-English specification
1812	2,520	1812 2,520	For filing a request for reexamination
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251	110	2251 55	Extension for reply within first month
1252	420	2252 210	Extension for reply within second month
1253	950	2253 475	Extension for reply within third month
1254	1,480	2254 740	Extension for reply within fourth month
1255	2,010	2255 1,005	Extension for reply within fifth month
1401	330	2401 165	Notice of Appeal
1402	330	2402 165	Filing a brief in support of an appeal
1403	290	2403 145	Request for oral hearing
1451	1,510	1451 1,510	Petition to institute a public use proceeding
1452	110	2452 55	Petition to revive - unavoidable
1453	1,330	2453 665	Petition to revive - unintentional
1501	1,330	2501 665	Utility issue fee (or reissue)
1502	480	2502 240	Design issue fee
1503	640	2503 320	Plant issue fee
1460	130	1460 130	Petitions to the Commissioner
1807	50	1807 50	Processing fee under 37 CFR 1.17 (q)
1806	180	1806 180	Submission of Information Disclosure Stmt
8021	40	8021 40	Recording each patent assignment per property (times number of properties)
1809	770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))
1801	770	2801 385	Request for Continued Examination (RCE)
1802	900	1802 900	Request for expedited examination of a design application
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Joyce G. Cohen	Registration No. (Attorney/Agent)	44,622	Telephone (650) 808-6000
Signature	Joyce G. Cohen		Date	April 15, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: P-022-US5

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By: Barbara Bryant Date: April 15, 2004
Barbara Bryant

NONPROVISIONAL PATENT APPLICATION

Title: INTERMEDIATE FOR PREPARING GLYCOPEPTIDE DERIVATIVES

Inventors: Martin S. LINSELL

Agent: Joyce G. Cohen, Reg. No. 44,622

Customer No. 27038

Status: Small Entity

Firm Theravance, Inc.
901 Gateway Boulevard
South San Francisco, CA 94080

Telephone (650) 808-6000
Fax (650) 808-6078

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Express Mail No: EV 399287591 US

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Barbara Bryant Date: April 15, 2004
Barbara Bryant

PATENT
Attorney Docket No. P-022-US5
Customer No. 27038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Martin S. LINSELL)	Group Art Unit: To be assigned
)	
Application No.: To be assigned (Continuation of U.S. 10/092,088))	Examiner: To be assigned
)	
Filed: On Even Date Herewith)	
)	
For: INTERMEDIATE FOR PREPARING)	
GLYCOPEPTIDE DERIVATIVES)	

STATEMENT REGARDING DELETION OF INVENTOR(S)
PURSUANT TO 37 C.F.R. §1.48(b)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

Sir:

Applicant hereby requests that the inventorship of the above-identified patent application be amended to delete the names of those persons who are not inventors of the presently claimed subject matter.

Specifically, Applicant requests that the inventorship be amended to delete J. Kevin Judice, Paul Ross Fatheree, Bernice M.T. Lam, Michael R. Leadbetter, YongQi Mu, Sean Gary Trapp, Guang Yang, and Yan Zhu. These persons were correctly named

as inventors in the parent application, U.S. Serial No. 10/092,088, but they are not inventors of the invention now being claimed in the present application.

The remaining and sole inventor for the present application is Martin S. Linsell.

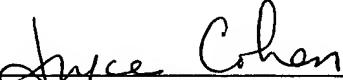
In the event that any fees are required by the filing of this paper, the Commissioner is hereby authorized to charge the processing fee set forth in §1.17(i) for this amendment to Deposit Account No. 50-0344. Additionally, the Commissioner is hereby authorized to charge any additional fees required by this paper, or to credit any overpayment, to Deposit Account No. 50-0344.

Respectfully submitted,

THERAVANCE, INC.

Date: April 15, 2004

By:


Joyce G. Cohen, Reg. No. 44,622

THERAVANCE, INC.
901 Gateway Blvd.
South San Francisco, CA 94080
Telephone: (650) 808-6000
Fax: (650) 808-6078